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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

GAYLEN A. PETERSON, Individually
and On Behalf of All Others Similarly
Situating,

Plaintiff,

v.

SWIFT TRANSPORTATION
COMPANY, RICHARD H. DOZER,
GLENN BROWN, JOSE CARDENAS,
JERRY MOYES, WILLIAM RILEY
III, DAVID VANDER PLOEG,
BISHOP MERGER SUB, INC., and
KNIGHT TRANSPORTATION, INC.,
Defendants.

Case No.: 2:17-CV-02073-DGC

NOTICE OF VOLUNTARY DISMISSAL

CLASS ACTION

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(A)(1)

WHEREAS, on June 29, 2017, plaintiff commenced this action alleging defendants violated Sections 14(a) and 20(a) of the Securities Exchange Act of 1934;

WHEREAS, subsequent to the filing of this action, defendants took steps that mooted the claims asserted in plaintiff's complaint (the "Mooting Actions");

WHEREAS, as part of the agreement with defendants to obtain the Mooting Actions, plaintiff agreed to dismiss this action with prejudice as to himself and without prejudice to the putative class;

WHEREAS, plaintiff believes that, as a result of the Mooting Actions, he has conferred a common corporate benefit on the stockholders of defendant Swift Transportation Company such that his counsel are entitled to seek and recover attorneys' fees and expenses (the "Fee and Expense Claim");

WHEREAS, counsel for plaintiff and defendants have conducted negotiations and successfully resolved the Fee and Expense Claim; and

WHEREAS, no class has been certified;

NOW, THEREFORE, PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41(a)(1)(A), plaintiff Gaylen A. Peterson and his counsel hereby give notice that the above-captioned action is voluntarily dismissed, with prejudice as to plaintiff and without prejudice as to all other members of the putative class. Defendants have filed neither an answer nor a motion for summary judgment in the Action. Except as otherwise agreed, each party shall bear its own costs.

1 Dated: November 6, 2017

2 **OF COUNSEL:**

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